

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known) Chapter **11**

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **Prince Bakery, Inc.**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) **13-1760067**

4. Debtor's address Principal place of business

**2418 Belmont Avenue
Bronx, NY 10458**

Number, Street, City, State & ZIP Code

Bronx
County

Mailing address, if different from principal place of business

**2245 New England Thruway
Bronx, NY 10475**

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor Prince Bakery, Inc. Case number (if known) _____
Name

7. Describe debtor's business A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☐ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
 See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

3118

8. Under which chapter of the Bankruptcy Code is the debtor filing? Check one:

- ☐ Chapter 7
☐ Chapter 9

☐ Chapter 11. Check **all** that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☐ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

Debtor **Prince Bakery, Inc.**
Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☐ No
☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor **See Attachment**

District

When

Relationship

Case number, if known

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

- ☐ No

- ☐ Yes.

Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.

- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☒ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$1,000,001 - \$10 million

☐ \$500,000,001 - \$1 billion

Debtor

Prince Bakery, Inc.

Case number (if known)

Name

☐ \$50,001 - \$100,000

☐ \$10,000,001 - \$50 million

☐ \$1,000,000,001 - \$10 billion

☐ \$100,001 - \$500,000

☐ \$50,000,001 - \$100 million

☐ \$10,000,000,001 - \$50 billion

☒ \$500,001 - \$1 million

☐ \$100,000,001 - \$500 million

☐ More than \$50 billion

Debtor **Prince Bakery, Inc.** Case number (if known) _____
Name

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **February 9, 2021**
MM / DD / YYYY

X /s/ Anthony M. Rusciano
Signature of authorized representative of debtor

Title **President**

Anthony M. Rusciano
Printed name

18. Signature of attorney

X /s/ Kenneth M. Lewis
Signature of attorney for debtor

Date **February 9, 2021**
MM / DD / YYYY

Kenneth M. Lewis
Printed name

Whiteford, Taylor & Preston LLP
Firm name

220 White Plains Road
Second Floor
Tarrytown, NY 10591
Number, Street, City, State & ZIP Code

Contact phone **(914) 761-8400** Email address **klewis@wtplaw.com**

2107308 NY
Bar number and State

Bankruptcy Cases Being Filed by the Debtor and Affiliates of the Debtor

Each of the entities below (collectively, the “Debtors”) are filing a petition for relief under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of New York. The Debtors will move for joint administration of these cases under the case number assigned to the chapter 11 case of Prince Bakery, Inc.

- Prince Bakery, Inc.
- Prince Bakery SA, Inc.
- Blue Spruce Corporation

**WRITTEN CONSENT OF THE BOARD
OF DIRECTORS OF PRINCE BAKERY, INC.**

The undersigned Board of Directors (the “Board”) of Prince Bakery, Inc. (the “Corporation”) do hereby consent to, adopt, and approve, by written consent in accordance with Section 708(b) of the New York Business Corporation Law, the following resolutions and each and every action effected thereby.

RESOLVED, that, in the judgment of the Board, it is desirable and in the best interests of the Corporation, its creditors, employees, and other interested parties that a petition be filed under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”); and it is further


RESOLVED, that Anthony M. Rusciano, as President of the Corporation, and any other person designated and authorized to act by him (each, an “Authorized Officer”), are hereby authorized and empowered, in the name and on behalf of the Corporation, to execute and verify the petition under chapter 11 of the Bankruptcy Code and to cause the same to be filed in the United States Bankruptcy Court for the Southern District of New York, at such time as the Authorized Officer executing the petition shall determine; and it is further

RESOLVED, that Anthony M. Rusciano, as President, and any other Authorized Officer, are hereby authorized on behalf of the Corporation to execute and file all petitions, schedules, motions, lists, applications, and other documents, and to take any and all actions which they deem necessary or proper in connection with such proceedings under chapter 11 of the Bankruptcy Code; and it is further

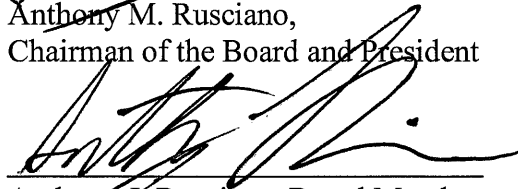
RESOLVED, that the Company is authorized to employ the law firm of Whiteford, Taylor & Preston LLP, 220 White Plains Road, Tarrytown, NY, 10591, to represent the Corporation in the Corporation’s chapter 11 case; and it is further

RESOLVED, that any and all past actions heretofore taken by Anthony M. Rusciano, in the name and on behalf of the Corporation in furtherance of any or all of the preceding resolutions be, and the same hereby are, ratified, confirmed, and approved.

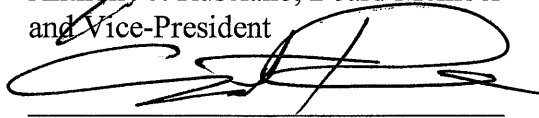
Executed this 8th day of February, 2021



Anthony M. Rusciano,
Chairman of the Board and President



Anthony J. Rusciano, Board Member
and Vice-President



Santo S. Rusciano, Board Member
and Secretary/Treasurer

Fill in this information to identify the case:

Debtor name Prince Bakery, Inc.

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF NEW YORK

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule* _____
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 9, 2021

X /s/ Anthony M. Rusciano

Signature of individual signing on behalf of debtor

Anthony M. Rusciano

Printed name

President

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name **Prince Bakery, Inc.**
United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF NEW YORK**
Case number (if known): _____

☐ Check if this is an
amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
A-1 Gilbert Telephone Answerin P.O. Box 15395 Beverly Hills, CA 90209	Laura Baird laura@a1gilbert.com (310) 281-0300	Trade Payable				\$1,115.00
AMRO Container Corp. 65 North Industry Court Deer Park, NY 11729	(718) 704-4138	Trade Payable				\$9,000.00
Arctic Glacier Premium Ice 500 Fenimore Road Mamaroneck, NY 10543	Jeff Hendler jhendler@icesurance.com (914) 490-3079	Trade Payable				\$3,000.00
Blue Spruce Corporation 2245 New England Thruway Bronx, NY 10475		Rent				\$188,000.00
EJ Paper Company 760 Saw Mill River Road Yonkers, NY 10710	Amil (914) 497-2013	Trade Payable				\$0.00
Ferrantino Fuel Corporation Mango & Iacoviello, LLP 14 Penn Plaza, Suite 1919 New York, NY 10122	Rocco Iacoviello (212) 695-5454	Trade Payable				\$22,265.72
Four Suns Fuel Co. Inc. 2460 Rowe Street Bronx, NY 10461	Pat Farrell (718) 358-4541	Trade Payable				\$11,000.00

Debtor **Prince Bakery, Inc.**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Joseph A. Maria, Esq. 301 Old Tarrytown Road White Plains, NY 10603	jmariapc@jmariapc.onmicrosoft.com (914) 684-0333	Claimed Commissions	Disputed Subject to Setoff			\$185,027.65
Michael D. Olsey 6 Tamarac Circle Harrison, NY 10528	(914) 572-2069	Claimed Management Fees	Disputed Subject to Setoff			\$44,500.00
NYC Water Board P.O. Box 11863 Newark, NJ 07101-8163						\$59,184.62
NYS Dept. of Labor Unemployment Insurance Divisio 2400 Halsey Street Bronx, NY 10461	Cassandra Marcus (917) 795-0919					\$80,000.00
NYS Workers Compensation Board Attn: Finance Office 328 State Street, Room 331 Schenectady, NY 12305-2302						\$10,239.17
Panama City Products 450 Odgen Avenue Mamaroneck, NY 10543	Don (914) 640-2304	Trade Payable				\$38,000.00
Sidco Foods 1628 Bathgate Avenue Bronx, NY 10457	Xiomara (973) 286-9604	Trade Payable				\$10,300.00
U.S. Flour Corp. 1 Huntington Quadrangle, Suite Melville, NY 11747	Yuri - Ron Alcalay yanive@usflour.com (561) 945-5574	Trade Payable				\$30,000.00

**United States Bankruptcy Court
Southern District of New York**

In re **Prince Bakery, Inc.**

Debtor(s)

Case No.
Chapter

11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Constance Koeper 345 Knollwood Extension Elmsford, NY 10523		50%	
Frances Rusciano 19 Knolltop Road Elmsford, NY 10523		50%	

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **President** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **February 9, 2021**

Signature **/s/ Anthony M. Rusciano**
Anthony M. Rusciano

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court
Southern District of New York**

In re **Prince Bakery, Inc.**

Debtor(s)

Case No.
Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Prince Bakery, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☐ None [*Check if applicable*]

February 9, 2021

Date

/s/ Kenneth M. Lewis

Kenneth M. Lewis

Signature of Attorney or Litigant
Counsel for **Prince Bakery, Inc.**

Whiteford, Taylor & Preston LLP

220 White Plains Road

Second Floor

Tarrytown, NY 10591

(914) 761-8400

klewis@wtplaw.com

The additional documents, disclosures, statements and other information required by section 1116(1) of the Bankruptcy Code and Rule 1007-2 of the Local Bankruptcy Rules are included in the accompanying Declaration of Anthony M. Rusciano Pursuant to Rule 1007-2 of the Local Bankruptcy Rules for the Southern District of New York.